

## REMARKS

The present amendment is responsive to the Office Action mailed in the above-referenced case on March 20, 2006. Claims 12-17 and 19-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Lavian (US 6,170,015) hereinafter Lavian. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lavian in view of Gerszberg et al. (US 6,044,403) hereinafter Gerszberg.

Regarding claim 1, the Examiner relies on the structure of Lavian to read on the claim. Applicant asserts that the art of Lavian teaches a router having connections to a Web browser 303, network maintenance station (NMS) 301 and other servers 309 and 307 (Fig. 3). Alternatively, Figure 4 of Lavian teaches routing switches 403 connected to Browser 401, Optivity software 409 and various servers 415, 417, and 419. Lavian teaches that the router(s) can download intelligent agents (Fig. 5) and that Applets and Optlets are transferred between Browser 401, Optivity 409 and the router, respectively.

Applicant previously argued that there is absolutely no disclosure in the art of Lavian of a device requesting and receiving data from a router, in the common format, wherein the receiving device reads the data, builds an object model from logic instructions embedded in the data received and executes the object model to implement the logic at the device for rendering the data. The Examiner responded by paraphrasing applicant's argument, and pointing to teaching of JAVA in Lavian. The rendering of data by JAVA is not what is claimed. Claim 12 is presented again below as an aid in discussion:

*12. (Original) A server application distributed to a client device for enabling the client device to interact with an information and presence service hosted on a data-packet-network the application comprising:*

*a data-interpretation module for interpreting data sent to the device from the service and for creating an object model from any logic instructions embedded in the data;*

*a run-time engine for executing the created object model; and*

*a data-rendering module for applying the logic resulting from execution of the object model to the function and display devices supported on the client device;*

*characterized in that a user controlling the device may control how data is rendered in conjunction with the display and function attributes of the device through creation of unique query applications used by the device in requesting the data.*

In addition to the specific claim language defining limitations in claim 12 the applicant wished to draw the Examiner's attention to applicant's Fig. 3, which illustrates the components of applicant's claimed client-side application 201. Attention is drawn to the JavaScript runtime engine 306, which is one of several components recited and claimed in claim 12, specifically that element named "a runtime engine". The Examiner cites Lavian Fig. 3, which is an architecture of Lavian's system, and neither describes nor illustrates any aspects whatever of a client-side server software as claimed. The citations relied upon by the Examiner to reject claim 12 in its entirety, these being Col 3, lines 40-49, and Col. 4 lines 2-8 simply teach the use of Java in Lavian. JAVA is but one component element in claim 12, and the Examiner provides no teaching from Lavian, or any other source, for all of the other limitations in claim 12, these being the data interpretation module and the data-rendering module that creates an object model which is provided to the JAVA runtime engine in applicant's invention, nor any teaching at all to the functional limitation *"that a user controlling the device may control how data is rendered in conjunction with the display and function attributes of the device through creation of unique query applications used by the device in requesting the data."*

Consequently the rejection of claim 12 falls far short of the requirement for a *prima-facie* rejection. Many of the limitations of the claim have simply been passed over. Only the limitation of a runtime engine is considered.

Claim 12 is consequently patentable over the art cited and applied, and claims 13-23 are patentable at least as depended from a patentable claim. Moreover, several of the depended claims add limitations that the Examiner fails to find or discuss. For example, claim 23 recites "wherein the data-interpretation module decompresses the data before

interpretation and object building", but the Examiner rejects the added limitation on the basis of JAVA interpreting and executing instruction code. The Examiner completely ignores the limitation of decompression.

As all of the claims as argued are clearly shown to be patentable over the prior art, applicant respectfully requests that the rejections be withdrawn and that the case be passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully Submitted,  
Jonathan Wu

By Donald R. Boys  
Donald R. Boys  
Reg. No. 35,074

Central Coast Patent Agency  
P.O. Box 187  
Aromas, CA 95004  
(831) 726-1457